
17th DECEMBER, 1804.

Ordered to be engrossed, and read the third time, on Monday next.

A B I L L,

TO regulate the clearance of armed merchant vessels, as amended.

1 **Be it enacted**, by the Senate and House of Representatives
2 of the United States of America, in Congress assembled, That
3 after due notice of this act, at the several custom houses, no
4 vessel owned in whole, or in part, by any citizen or citizens of
5 the United States, or by any person or persons residing within
6 the same, or the territories thereof, and armed, or provided
7 with the means of being armed at sea, shall receive a clearance,
8 or be permitted to leave the port where she may be so armed, or
9 provided, without bond, with two sufficient sureties, being given
10 by the owner or owners, agent or agents, and by the master or
11 commander, to the use of the United States, in a sum equal to
12 the value of said vessel and cargo, conditioned that such vessel
13 shall not make or commit any depredation, outrage, unlawful

14 assault or violence, nor make any other unlawful use of her
 15 arms against the vessels, citizens, subjects, or territory of any
 16 nation in amity with the United States ; and that the guns, arms,
 17 and ammunition of such vessel shall be returned within the Unit-
 18 ed States, or otherwise accounted for, and shall not be sold or
 19 disposed of in any foreign port or place in the West Indies.

1 **SEC. 2.** *And be it further enacted,* that if any armed merchant
 2 vessel shall make or commit any depredation, outrage, unlawful
 3 assault or violence, “ against any vessel or territory of a nation in
 4 amity with the United States, or against any of the citizens or
 5 subjects of such nation, or make any other unlawful use of the
 6 arms on board such vessel ; if such depredation, outrage, unlaw-
 7 ful assault or violence, shall be made or committed, as if made and
 8 committed in any place under the exclusive jurisdiction of the
 9 United States, would be murder or felony ; the same shall be mur-
 10 der or felony, as the case shall be : and the principals and accessa-
 11 ries concerned therein, shall be punished as they would respec-
 12 tively be in other cases of murder or felony, by the laws of the
 13 United States :—and if the offence be of less degree, it shall be a
 14 high misdemeanor, punishable by fine, not exceeding three
 15 thousand dollars, and imprisonment, not exceeding three years.

1 **SEC. 3.** *And be it further enacted,* That if any armed vessel, as
 2 aforesaid, shall proceed to sea without a clearance, contrary to
 3 the provision of this act, such vessel, with her arms, furniture
 4 and tackle, or the value thereof, shall be forfeited to the use of
 5 the United States.